



## **606.09 Inmate Grievance Procedure**

Number Series: 600 - Corrections Division

Sheriff's Approval: Digital

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### **606.09-1 Policy**

- I. It is jail policy to provide inmates with an internal grievance mechanism for resolving complaints arising from conditions of confinement, so as to reduce the need for litigation and afford staff the opportunity to improve Jail operations. The inmate grievance process is designed for in-house and shall be available to all inmates upon request.
- II. Inmates shall be permitted to send sealed letters concerning a grievance or a completed Inmate Request/Grievance form to the Jail Administrator, or designee should a grievance be of a sensitive nature where the inmate fears repercussion, and only when that inmate is housed where there is no Touch screen station available. Inmates that are housed where Touch screen stations are available will file their grievances electronically.
- III. The Jail Administrator is responsible for the preliminary investigation of all allegations of unreasonable force or serious violations of policy. If there is any substance to the complaint it will be immediately forwarded to Professional Standards for additional investigation.
- IV. Inmates who have a pending grievance at the time of release lose all standing with respect to any further internal administrative remedy of the matter under consideration.
- V. Inmates released from custody may be referred to the normal complaint process to remedy any unaddressed member misconduct complaints.

### **606.09-2 Responsibility**

Designated supervisory staff shall respond to inmate grievances in accordance with the policies and procedures established by this Directive.

### **606.09-3 Inmate Grievance Rights**

- I. Inmates shall have the following rights:
  - A. The right to register a complaint without fear of reprisal on an alleged violation of civil, Constitutional, or statutory rights or of policy; an alleged criminal or prohibited act by a staff member; to resolve a condition existing within the Jail that creates unsafe or unsanitary living conditions, medical care, food, or other legitimate concern.
  - B. The right to receive a written or electronic response within seven business days from the date the grievance accepted/recorded, excluding holidays.

#### **606.09-4      Emergency Grievances**

- I. Emergency grievances are those involving an immediate threat to the welfare or safety of an inmate. Processing for emergency grievances will begin with the initial determination by the receiving staff member that the issue raised is life threatening.
- II. If the Shift Commander determines the grievance is an emergency matter, it will be given immediate attention. If resolved at the shift level, a report will be prepared by that supervisor for the Jail Administrator, describing the nature of the problem and the resolution achieved. Emergency grievances that cannot be resolved at the shift level will be channeled, without delay, through the chain of command until reaching a level where action can be taken.

#### **606.09-5      Non-Grievable Issues**

- I. It is jail policy to provide inmates with an internal grievance mechanism for resolving complaints arising from conditions of confinement, so as to reduce the need for litigation and afford staff the opportunity to improve Jail operations. The inmate grievance process is designed for in-house and shall be available to all inmates upon request.
- II. Inmates shall be permitted to send sealed letters concerning a grievance or a completed Inmate Release/Grievance form to the Jail Administrator, or designee should a grievance be of a sensitive nature where the inmate fears repercussion.
- III. The Jail Administrator is responsible for the preliminary investigation of all allegations of unreasonable force or serious violations of policy. If there is any substance to the complaint it will be immediately forwarded to Professional Standards for additional investigation.
- IV. Inmates who have a pending grievance at the time of release lose all standing with respect to any further internal administrative remedy of the matter under consideration.
- V. Inmates released from custody may be referred to the normal complaint process to remedy any unaddressed member misconduct complaints.

#### **606.09-6      Procedures**

- I. Inmate grievance procedures offer the Jail a means for continuous review of administrative policy and decision making as well as acquiring documentation of an incident for possible subsequent judicial court filed suits. The process described herein allows inmates to retain proof of filing a grievance and ensures a timely response of same. Inmates will complete an electronic grievance by utilizing the Touch screen station (Kiosk). Once submitted the inmate will be given a reference number and may access the submitted grievance at any time.

#### **Informal Resolution:**

- I. An inmate may voice an informal grievance to any staff member at any time. When presented with an informal grievance, that Deputy may initiate corrective action if the action is within the normal scope of his or her responsibility. Verbal complaints should be resolved without the initiation of a written or electronic grievance whenever possible.

- II. If an inmate voices a grievance to a staff member that is beyond the scope of that staff member's authority and appears to require prompt attention, that person will notify the Shift Sergeant of the grievance as soon as practical.
- III. Informal resolutions are strongly encouraged.
- IV. Inmates unable to obtain satisfaction via informal resolutions and desiring to utilize the grievance procedure shall file a written or electronic Inmate Request/Grievance form.

Formal Resolution:

- I. Anytime within five days after a potentially grievable event has occurred; an inmate may file a formal, written grievance. The staff member will instruct the inmate on the basic requirements for filling out the Form if the inmate so requests. No time limits will be set for any grievance regarding an allegation of sexual abuse.
- II. The Classification Sergeant will review the Inmate Grievances:
  - A. Reasons for returning an Inmate Grievances to the inmate without resolution.
    - 1. The grievance is too vague
    - 2. Not legible
    - 3. Form improperly filled out, (i.e., written out of bounds, etc.)
    - 4. The use of profanity, racial slurs or sexually explicit language.
- III. Forward the grievance to the appropriate supervisor for investigation, comment and resolution. The Jail Administrator or designee will receive grievances related to the following:
  - A. Alleged unjustified use of force
  - B. Alleged member misconduct or serious violation of policy
  - C. Complaints that cannot be resolved at the supervisory level
  - D. Complaints outside the scope of corrections (i.e. an incident occurring during an arrest.)
- IV. Designated Supervisor Shall:
  - A. Investigate the pertinent information.
  - B. Respond to the grievance or route the Inmate Grievance to appropriate resources for further input, assessments, and clarification as necessary.
  - C. Ensure the subject of the grievance is resolved fairly.
  - D. After completion of investigation and comments, forward the Inmate Grievance to the Jail Administrator.
- V. Administrative review:
  - A. The Jail Administrator or designee shall review the grievance, respond and return the Inmate Request/Grievance form to the inmate.

**606.09-7 Timelines**

- I. Under normal circumstances, staff shall respond to Inmate Grievances within seven business days of receipt (excluding holidays).
- II. Extenuating circumstances requiring extensive research and documentation may require additional time.
- III. Complaints of an emergency nature (imminently threatening the inmate's health or welfare) shall be responded to immediately.

**606.9.8 Appeals**

- I. Inmates dissatisfied with Supervisory level response may file an appeal within five days of that response. Appeals shall be in the following order:
  - A. Original responding supervisor or contract employee
  - B. Correctional Lieutenant
  - C. Jail Administrator
  - D. Chief Deputy
- II. The appeal should include a copy of the initial complaint and the response being appealed.
- III. The reviewing Deputy shall forward a written reply to the inmate within 15 business days from the date the appeal was received.
- IV. If the inmate does not receive a response at the final appeal level and the time for response has passed, then the inmate has exhausted administrative remedies.

## REFERENCES

State/Federal Regulations:

Florida Model Jail Standards

§ 115.52, Fla. Stat.

FCAC:

N/A

PREA:

§ 115.52, *Exhaustion of Administrative Remedies*

Forms:

Inmate Request / Grievance

Other Policy/ Procedure References:

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